GOVERNMENT OF INDIA
MINES
LOK SABHA

STARRED QUESTION NO:139
ANSWERED ON:04.03.2011
ILLEGAL MINING ACTIVITIES
Biju Shri P. K.

Will the Minister of MINES be pleased to state:

(a) whether the Government has taken note of illegal mining activities including disappearance of seized iron ore from some of the mineral producing States;

(b) if so, the details thereof;

(c) whether the Union Government has urged the concerned State Governments to inquire into the reported cases of disappearance of seized iron ore;

(d) if so, the details thereof; and

(e) the corrective action taken by the Union Government in this regard?

Answer

THE MINISTER OF STATE (INDEPENDENT CHARGE) FOR MINES (SHRI DINSHA PATEL)

(a) to (e) : A statement is laid on the Table of the House.

STATEMENT REFERRED IN REPLY TO LOK SABHA STARRED QUESTION NO. 139 FOR 4.3.2011 REGARDING ILLEGAL MINING ACTIVITIES BY SHRI P. K. BIJU.

(a) to (d) : As per information made available by the State Government, the Karnataka State Forest Department has seized about 8,05,991.083 metric tonnes of ore without valid permits. A Forest offence case was filed vide FIR No. 17/2009-10 dated 15.3.2010 under section 2(7)(b)(iv) 62, 80, 24 Karnataka Forest Act and Rule 143 and 162 of Karnataka Forest Rules. The seized material was kept at the disposal of Port Conservator, Belikere Port for safe custody. However, on the basis of a report on 20.6.2010 that the seized material has been exported illegally, the Karnataka State Forest Department investigated the matter, which revealed that 6.00 lakh metric tonnes of seized material has been illegally exported. The State Government has initiated action against the erring Port Conservator and he has been kept under suspension. Further the investigation by the Hon'ble Lokayukta and State Corps of Detective is in progress and the State Government has stated that stringent action would be initiated against the culprits. Hon'ble High Court of Karnataka has also prohibited export fore seized in the Belekeri port.

The State Government of Karnataka has reported that it has put in place the following systems/measures in the State :

The State Government has framed the rules under 23C of MMDR Act. The State Government could not implement the rules as the Hon'ble High Court of Karnataka had issued a stay order. The State Government has now succeeded in addressing all the issues raised in the petitions and has convinced the Hon'ble Court to vacate the stay orders. The rules would be further amended keeping in view the new challenges and circumstances to tackle illegal mining and transportation effectively.

The State Government has set up Task Forces, State Coordination-cum-Empowered Committee, formulation of State Mineral Policy etc. to control illegal mining, and the Action Plan for the purpose has been put in place to control illegal mining.

The State Government has set up a Special Cell headed by the Director, Mines & Geology represented by the Senior Officers of the Departments of Transport, Forest, Home, Indian Bureau of Mines, Customs and Ports etc., to ensure that various measures incorporated in the action plan to control illegal mining are fully implemented. This Cell has already held its first meeting and several measures have been initiated as per the action plan.

The State Government has set up 13 Composite Check Posts in strategic locations to monitor and control illegal transport of minerals. These check posts are manned by Departments of Mines, Transport, Forest officials, and have started functioning 24 x 7. in one of the most sensitive areas, bordering State of Karnataka and Andhra Pradesh, the check post has been equipped with cameras also.

The State Government took initiative to take up a study of mining leases using high-resolution satellite imagery to identify encroachments. The Karnataka State Remote Sensing Application Centre has submitted its first report in respect of 47 leases situated in Bellary District. The State Government is initiating further action based on the findings of this report.

The State Government has set up 3 survey teams comprising Officers of the Forest, Revenue and Mines to carry out general survey of leases/Report mentioned in Lokayukta having exceeded the area granted. These teams would also conduct surveys of leased areas pending for renewal.

The State Government has decided to bring in a system of issuing mineral despatch permits − one permit per one vehicle − at the 'mine head' itself.

The State Government has also taken steps to streamline the system of establishment of stock yards and has cancelled a number of stock yards established in violation of the guidelines. Necessary rules for establishment of stock yards would also be incorporated in the rules, issued under section 23C of MMDR Act.

(e): The Central Government is responsible for ensuring the proper regulation and development of mineral resources in the country and the Parliament has enacted the Mines and Minerals (Development and Regulation) Act, 1957. While section 23C of the said Act provides for State Government to formulate Rules to control illegal mining, the Central Government has been advising and coordinating activities and initiatives to help all States, including Karnataka, to curb illegal mining, inter-alia as follows:-

The State Governments have been advised to set up State Coordination-cum-Empowered Committee (SCEC) to coordinate efforts to control illegal mining by including representatives of Railways, Customs and Port authorities. Separately the State Governments have also been advised to prepare and adopt an Action Plan with specific measures to detect and control illegal mining including, use of remote sensing, control on traffic, gather market intelligence, registration of end-users and setting up of special cells etc.

Eighteen States have framed Rules under Section 23C of the Mines and Minerals (Development and Regulation) Act, 1957, and twenty one States have set up Task Force at State and/or District level to check illegal mining as per the instruction of Central Government.

Up-to September, 2010, the State Governments detected 43317 cases of illegal mining of minor and major minerals as compared to 41578 cases detected in the full year 2009.

A Central Coordination-cum-Empowered Committee has been set by Government, with representation from State Governments and Central Ministries concerned, to consider all mining related issues, including specifically, matters relating to coordination of activities to combat illegal mining at regular intervals.

The Central Government has appointed Shri Justice M. B. Shah Commission of under the Commission of Inquiry Act, 1952 to inquire into the large scale mining of iron ore and manganese ore without lawful authority in several States vide Notification S. O. 2817 dated 22nd November, 2010. The Commission has started functioning from its Camp Office at Ahmedabad.

The Central Government amended Rule 45 of the Mineral Conservation and Development Rules, 1988, making it mandatory for all miners, traders, stockists, exporters and end-users to register with the Indian Bureau of Mines and report on movement of minerals to Indian Bureau of Mines and State Government as one of the measures to combat illegal mining vide notification G. S. R. 75(E) dated 9.2.2011.